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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,630	07/03/2001	Rajesh Kumar	81862.P249	5156
7590 03/22/2005			EXAMINER	
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP			JUNG, MIN	
Seventh Floor			ART UNIT	
12400 Wilshire Boulevard			PAPER NUMBER	
Los Angeles, CA 90025-1026			2663	

DATE MAILED: 03/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/899,630	Applicant(s) KUMAR ET AL.	
	Examiner Min Jung	Art Unit 2663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 4, 6, 12, 14, 18, and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 4, 12, and 18, "the interworking server" lacks antecedent basis.

In claims 6, 14, and 20, the meaning of the selection of a network is unclear. It seems that the AAL2 network is one of the recited networks, not that a network is selected as a part of the method being performed.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brueckheimer et al., US 6,519,261 (Brueckheimer).

Brueckheimer discloses an interface arrangement providing interworking between IP, TDM, and ATM networks.

Specifically, regarding claims 1, 7, 9, and 15, Brueckheimer teaches a first voice packet network having voice data of a first format (ATM network), a second voice packet network having voice data of a second format (IP network), and an interworking unit (the interworking arrangement shown as enclosed by the box in Fig. 1). See col. 5, lines 9-18. The edge gateways are not shown nor described, but are inherent since they are required to have the set up as shown in Fig. 1. Brueckheimer fails to specifically teach the actual step of setting up the connections. However, the connections are shown in the Fig. 1 as double-headed arrows between the ATM network and the interworking unit, and also between the IP network and the interworking unit. It would have been obvious (almost inherent) for one of ordinary skill in the art at the time of the invention to set up the connections illustrated in the figure to have active communication between the two networks via the interworking unit.

Regarding claims 2-3, 5, 10, 11, and 13, Brueckheimer further teaches converting the voice data in the ATM format into voice data of IP packet format in the interworking unit. This is done by using the ATM adaptation processor 11, and the IP packet framing circuit 15 and a codec 17. Brueckheimer also teaches AAL2 data, thereby teaching ATM AAL2 network. See col. 5, and lines 13-32, lines 48-64.

Claims 4, 8, 12, 16, 17-36, further recite call agents. Specifically, it recites that the interworking units interfaces with a call agent, that a call agent sets the connection, and that a call agent interface is provided to interface to a call agent so that the conversion of data is coordinated. Brueckheimer fails to teach a call agent per se. However, the functions recited in relation to the recited call agent are taught or are

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inherent in Brueckheimer. The function of connection setup is inherent in Brueckheimer as addressed above, and Brueckheimer specifically teaches the function of data format conversion in the interworking unit so that voice packet in one format (ATM) is converted to a voice packet of second format (IP). See col. 5. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to implement the interworking unit of Brueckheimer by providing a specific element, a call agent, having the connection setup function and the format conversion management function residing in it to provide the interworking unit with a concrete element performing subset of functions already taught in conjunction with interworking unit functions. More specifically, with regard to claims 26-29 and 33-36, the call agent being a voice over IP protocol call agent or voice over ATM call agent would correspond to the conversion functions related to the IP network side and the conversion functions related to the ATM network side in Brueckheimer, respectively.

Regarding claims 6, 14, and 20, Brueckheimer fails to teach the recited group of variation of AAL2 networks. However, Brueckheimer teaches ATM network including AAL2 layer functionality. With this teaching, it would have been obvious for one of ordinary skill in the art at the time of the invention to choose the AAL2 network to be any one of the ITU Q.2630.1 controlled network, a PNNI controlled single-channel per Switched Virtual Circuit network, a permanent virtual circuit network, and a pre-assigned AAL2 channels within permanent virtual circuits network, depending on what is needed at the customer level or the network level.

Conclusion


5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Charas et al. Patent and the Kung et al. patent are cited for further references.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Min Jung whose telephone number is 571-272-3127. The examiner can normally be reached on Monday, Thursday, Friday 7:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MJ
March 17, 2005


Min Jung
Primary Examiner